

THURSDAY, MAY 12, 1983

FORTY-FIRST LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Dr. William P. Mullins, Jr., Dresden Methodist Church, Dresden, Tennessee.

Representative Frensley, led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 99

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 283, 615, 779, 780, 947, 956,

1092, 1282, 1285, 1299 and 1334; House Resolutions Nos. 79 and 88; and House Joint Resolution No. 250; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 283, 615, 779, 780, 947, 956, 1092, 1282, 1285, 1299 and 1334; House Resolutions Nos. 79 and 88; House Joint Resolutions Nos. 250.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

259--Relative to honoring Clarence Milton Haynes; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

121--Relative to honoring Curtis Person, Sr.; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1160, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. McNally, House Bill No. 1160 was returned to the Senate as requested.

CALENDAR

Mr. Brewer moved that House Bill No. 1069 be placed on the Calendar for 1984, which motion prevailed.

Mr. Murphy moved that House Bill No. 1085, 1086 and 1087 be placed on the Calendar for 1984, which motion prevailed.

Senate Bill No. 736--To regulate sale, alcoholic beverages, certain clubs.

Mr. Murphy moved that Senate Bill No. 736 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes	17
Present and not voting	3

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Fensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stafford, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Work and Yelton--76.

Representatives voting no were: Atchley, Byrd, Crain, Dills, Ford, Harrill, Hurley, Huskey, McAfee, Percy, Robertson, Shirley, Shockley, Stallings, Turner, Wolfe and Wood--17.

Representatives present and not voting were: Buck, Nance and Wix--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 186--To make certain provisions, federal block grant programs.

On motion, House Bill No. 186 was made to conform with Senate Bill No. 56.

On motion, Senate Bill No. 56, on same subject, was substituted for House Bill No. 186.

Mr. Love moved that Senate Bill No. 56 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis

(Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives present and not voting were: Duer and Harrill--2.

A motion to reconsider was tabled.

House Bill No. 762--To appropriate funds, Institute of African Affairs, T.S.U.

On motion, House Bill No. 762 was made to conform with Senate Bill No. 724.

On motion, Senate Bill No. 724, on same subject, was substituted for House Bill No. 762.

Mr. Love moved that Senate Bill No. 724 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	60
Noes	27
Present and not voting	8

Representatives voting aye were: Bell, Bewley, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Gaia, Gill, Herndon, Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Stallings, Starnes, Tanner, Turner, Webb, Wheeler, Withers, Work and Yelton--60.

Representatives voting no were: Anderson, Atchley, Bivens, Chiles, Clark (Sumner), Duer, Elsea, Ford, Harrill, Hassell, Henry, Hudson, Huskey, Kelley, Kent, King (Washington), Montgomery, Moore (Shelby), Nance, Robertson, Smith, Ussery, Wallace, Whitson, Williams, Wolfe and Wood--27.

Representatives present and not voting were: Buck, Davis (Gibson), Frensley, McNally, Percy, Shirley, Stafford and Wix--8.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Smith moved that Senate Bill No. 769 be placed on the Calendar for 1984, which motion prevailed.

Mr. Covington moved that House Bill No. 657 be placed on the fifth business day of 1984, which motion prevailed.

Mr. Shockley moved that House Bill No. 1164 be placed on the Calendar for 1984, which motion prevailed.

On motion of Mr. Copeland, Senate Bill No. 828 was recalled from the Senate for further consideration.

Mr. Love moved that House Bill No. 351 be placed on the Calendar for 1984, which motion prevailed.

House Bill No. 991--To provide access roads, Norris Freeway.

On motion, House Bill No. 991 was made to conform with Senate Bill No. 947.

On motion, Senate Bill No. 947, on same subject, was substituted for House Bill No. 991.

Mr. Wheeler moved that Senate Bill No. 947 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--97.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Stafford moved that House Bill No. 1323 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1344--To regulate motor carriers.

On motion, House Bill No. 1344 was made to conform with Senate Bill No. 1244.

On motion, Senate Bill No. 1244, on same subject, was substituted for House Bill No. 1344.

Mr. Gafford moved that Senate Bill No. 1244 be passed on third and final consideration.

Mr. Disspayne moved the previous question, which motion prevailed by the following vote:

Ayes	84
Noes	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Stafford, Stallings, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--84.

Representatives voting no were: Hudson, McAfee, Robertson and Smith--4.

Thereupon, Senate Bill No. 1244 was passed on third and final consideration by the following vote:

Ayes	90
Noes	3
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings,

Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90.

Representatives voting no were: Hudson, Kernell and McAfee--3.

Representative present and not voting was: DeBerry--1.

A motion to reconsider was tabled.

Mr. Davis (Hamilton) moved that House Bill No. 171 be placed on the next available Calendar, which motion prevailed.

Mr. Clark (Sumner) moved that House Bill No. 1015 be placed on the Calendar for 1984, which motion prevailed.

Mr. Clark (Sumner) moved that House Bill No. 1017 be placed on the Calendar for 1984, which motion prevailed.

On motion, House Bill No. 387 was moved to follow House Bill No. 1161.

Mr. Gill moved that the rules be suspended for the purpose of introducing House Resolutions Nos. 91, 92, 93 and 94 out of order, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 91--Relative to commending Mark C. Northrup--By Hillis, Johnson and Owen.

House Resolution No. 92--Relative to commending Mark Byrnes--By Bragg.

House Resolution No. 93--Relative to commending Ada Mary Grogan--By Gaia and Kisber.

House Resolution No. 94--Relative to commending Vivian S. Kennon--By Gaia.

Mr. Gill moved that the rules be suspended for the purpose of placing House Resolutions Nos. 91, 92, 93 and 94 on the Consent Calendar for today, which motion prevailed.

CONSENT CALENDAR

OBJECTION

Objections were filed to the following bills and resolutions on the Consent Calendar:

Mr. Davidson and Clark (Sumner) objected to House Bill No. 1312.

Under the rules House Bill No. 1312 was placed at the foot of the Calendar for today.

House Resolution No. 66--Relative to study, five Safety Codes.

House Bill No. 1350--To provide for West Carroll Special School District.

House Bill No. 1351--To amend Charter, Bristol.

On motion, House Bill No. 1351 was made to conform with Senate Bill No. 1250.

On motion, Senate Bill No. 1250, on same subject, was substituted for House Bill No. 1351.

House Bill No. 1354--To amend Charter, Bluff City.

On motion, House Bill No. 1354 was made to conform with Senate Bill No. 1254.

On motion, Senate Bill No. 1254, on same subject, was substituted for House Bill No. 1354.

House Resolution No. 86--Relative to supporting affordable Housing Program.

House Resolution No. 89--Relative to commending William C. Boyd.

House Resolution No. 90--Relative to commending Mrs. Lena Mae Pickens.

Senate Joint Resolution No. 116--Relative to congratulating Reverend Jones Lovirt Netters.

Senate Joint Resolution No. 117--Relative to congratulating Aladdin Industries, Inc.

Senate Joint Resolution No. 119--Relative to honoring Senator James Ellers.

Senate Joint Resolution No. 120--Relative to commending Senator Roy Campbell.

House Bill No. 1328--To authorize amusement tax, certain counties.

On motion, House Bill No. 1328 was made to conform with Senate Bill No. 1228.

On motion, Senate Bill No. 1228, on same subject, was substituted for House Bill No. 1328.

House Resolution No. 91--Relative to commending Mark C. Northrup.

House Resolution No. 92--Relative to commending Mark Byrnes.

House Resolution No. 93--Relative to commending Ada Mary Grogan.

House Resolution No. 94--Relative to commending Vivian S. Kennon.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	99
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 191--To provide for cost of board and lodging, certain jurors.

SENATE AMENDMENT NO. 2

Amend House Bill No. 191 by inserting the following language as a new section between present Section 1 and Section 2 and by renumbering the subsequent section accordingly:

SECTION ____. The provisions of this act shall not be construed to constitute an appropriation of funds and no funds shall be obligated or expended to implement the provisions of this act unless such funds are specifically appropriated pursuant to the general appropriations act.

Mr. Murphy moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 302--To amend Criminal Injuries Compensation Act.

Mr. Cobb moved that the House refuse to recede its action in adopting Amendment No. 1 to Senate Bill No. 302, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 587--To make provisions for child support and property settlement, divorce.

SENATE AMENDMENT NO. 5

Amend House Bill No. 587 by adding the following language to the end of SECTION 6 (b) (1):

Property shall be considered marital property as defined by this subsection for the sole purpose of dividing assets upon divorce and for no other purpose.

SENATE AMENDMENT NO. 6

Amend House Bill No. 587 by deleting subsection (e) of the amendatory language of Section 4 as amended and substituting instead the following:

(e) (1) The court may impose a lien upon the marital real property assigned to a party, or upon his or her separate real property, or both, as security for the payment of child support.

(2) The court may impose a lien upon the marital real property assigned to a party as security for the payment of spouse support or payment pursuant to property division.

SENATE AMENDMENT NO. 7

Amend House Bill No. 587 by deleting factor (11) from subsection (d) of the amendatory language of Section 1 in its entirety and by renumbering the remaining factor accordingly.

Mr. Murphy moved that the House concur in Senate Amendments Nos. 5, 6 and 7, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockey, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

On motion, the rules were suspended to consider remaining Messages from the Senate.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

826--To make certain provisions, state employees insurance.

The Speaker lifted tabling motion, reconsidered passage of the bill, reconsidered adoption of Senate Amendment No. 1, withdrew Senate Amendment No. 1, adopted Senate Amendment No. 2, then repassed the

bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 826--To make certain provisions, state employees insurance.

SENATE AMENDMENT NO. 2

Amend House Bill No. 826 by deleting Sections 1, 2, 3 and 4 in their entirety and substituting instead the following as the new Section 1:

SECTION 1. Tennessee Code Annotated, Section 8-27-101, is amended by deleting the second sentence in its entirety and substituting instead the following:

Two (2) state employees shall be selected in accordance with a procedure adopted by the State Insurance Committee, which is similar to that used to select the state employee trustees of the Consolidated Retirement System pursuant to Section 8-24-302, provided that the chairman of the State Insurance Committee and the chairman of the Consolidated Retirement System Board of Trustees may develop a procedure whereby the process for selection of state employee members to each entity is coordinated. The selection procedure adopted by the State Insurance Committee shall apply to the selection of state employee members occurring after July 1, 1983. One (1) state employee shall be an employee of either the University of Tennessee or the State University and Community College System selected under a procedure developed by the Tennessee Higher Education Commission and approved by the State Insurance Committee.

AND FURTHER AMEND by renumbering Section 5 as Section 2.

Mr. Burnett moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	99
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee,

McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 959--To create Commission of Indian Affairs.

SENATE AMENDMENT NO. 1

Amend House Bill No. 959 by deleting from Section 7 the following:

"annual audit by a certified public accountant."

and by substituting instead the following:

"audit as authorized by Tennessee Code Annotated, Section 8-4-109."

Mr. Covington moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	94
Noes	3
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--94.

Representatives voting no were: Chiles, Duer and Ussery--3.

Representative present and not voting was: Stafford--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1160--To abolish Health Planning and Resources Development Authority.

The Senate lifted the tabling motion, reconsidered passing the bill, reconsidered adoption of Amendment #2, withdrew Amendment #2, reconsidered adoption of Amendment No. 3, withdrew Amendment No. 3, adopted Amendment No. 5, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1160--To abolish Health Planning and Resources Development Authority.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1160 by adding the following new Section 18 and by renumbering the subsequent sections accordingly:

Section 18: TCA 53-1211(g)(2) is amended by adding in the sixth line of the subsection following the word "section" the following new sentence which reads as follows:

"However, nothing in this section shall prohibit a properly constituted Health, Educational and Housing Facilities Corporation under Title 48, Chapter 19 from making loans to health care institutions in anticipation of expenditures for equipment acquisitions in advance of receiving a Certificate of Need under the following conditions: A) any such loan agreement shall require that all required certificates must be obtained in accordance with this section for any equipment acquired by loaned funds, and, B) the acquisition of equipment shall not constitute the establishment of a significant new health service.

SENATE AMENDMENT NO. 4

Amend House Bill No. 1160 by adding after the first sentence of Section 29 the following:

Tennessee Code Annotated, Section 53-1213, is further amended by adding at the end of that section the following:

Provided, further, that nothing contained in this chapter shall be construed as affecting the provisions of the Public Acts of 1973, Chapter 257, Section 15, and such provisions shall continue to be effective for the purposes of Tennessee Code Annotated, Title 53, Chapter 12. It is the express intent of the legislature that such Section 15, Chapter 257 of the Public Acts of 1973 shall remain in full force and effect, notwithstanding any previous or subsequent legislation to the contrary.

SENATE AMENDMENT NO. 5

Amend House Bill No. 1160 by inserting the following new Section 1 and renumbering the subsequent sections accordingly:

SECTION 1. Tennessee Code Annotated, Section 53-1203(4) is amended by deleting the word "and" and the period at the end of the second sentence and adding the following language to the end of the sentence:

"or any other identified health facility subject to licensure under Chapter 13 of this title, except those facilities specifically excluded in this subsection and homes for the aged."

Mr. McNally moved that the House concur in Senate Amendments Nos. 1, 4 and 5, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--96.

Representative present and not voting was: Jones--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

35--To amend Criminal Sentencing Reform Act.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Senate Amendment No. 6, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF HOUSE BILL NO. 35

House Bill No. 35--To amend Criminal Sentencing Reform Act.

Mr. Murphy moved that the motion to reconsider House Bill No. 35 be lifted from the table, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in passing House Bill No. 35 on third and final consideration, as amended, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in nonconcurring in Senate Amendment No. 5, which motion prevailed.

SENATE AMENDMENT NO. 6

Amend House Bill No. 35 by inserting between the word "year" and the words "who has" in the amendatory language of subsection (a) of the final amendatory clause of Amendment No. 5 the words "or more".

Mr. Murphy moved that the House concur in Senate Amendments Nos. 5 and 6, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson

(Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Davis (Hamilton) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 260 out of order, which motion prevailed.

House Joint Resolution No. 260--Relative to funerals, veterans of foreign wars--By Davis (Hamilton).

Mr. Davis (Hamilton) moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 260, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Joint Resolution No.

96--Relative to study, 1983 proposals, education quality.

The Senate nonconcurred in House Amendment No. 1

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF SENATE JOINT RESOLUTION NO. 96

Senate Joint Resolution No. 96--Relative to study, 1983 proposals, education quality.

Mr. Starnes moved that the motion to reconsider Senate Joint Resolution No. 96 be lifted from the table, which prevailed.

Mr. Starnes moved that the House reconsider its action in concurring in Senate Joint Resolution No. 96 on third and final consideration, as amended, which motion prevailed.

Mr. Henry moved that House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Henry moved that Amendment No. 1 be withdrawn, which motion prevailed.

Mr. Henry moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Joint Resolution No. 96 by deleting from the last resolving clause the word "February" and substituting in lieu thereof the word "January".

On motion, the amendment was adopted.

Thereupon, Senate Joint Resolution No. 96, as amended, was concurred in by following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

352--To provide increase, taxes, criminal cases.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators Koella, Rochelle and Ashe to confer with a like committee from the House to resolve the differences of the two bodies on Senate Bill No. 352.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Bragg moved that the Speaker appoint a Conference Committee

to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 352, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Bragg, Owen and Hillis as the Conference Committee on Senate Bill No. 352.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

564--To regulate sale, alcoholic beverages.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators Burks, Rochelle and Burleson to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 564.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Murphy moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 564, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Murphy, Chiles and Owen as the Conference Committee on Senate Bill No. 564.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

663--To regulate competency, certain medical tests.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators Person, Dunavant and Rucker to confer with a like committee from the House to resolve the differences of the two bodies on Senate Bill No. 663.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Davis (Pickett) moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 663, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Davis (Pickett), Clark (Davidson) and Murphy as the Conference Committee on Senate Bill No. 663.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

917--To amend Title 5, Chapter 1, Part 2, Code.

The Senate refused to recede from its action in adopting Senate Amendments Nos. 6 and 7.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Gill moved that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 6 and 7 to House Bill No. 917, which motion prevailed.

Mr. Gill moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate in order to resolve the differences between the two bodies on House Bill No. 917, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives DeBerry, Gaia and Gill as the Conference Committee on House Bill No. 917.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

945--To provide for disposal, hazardous wastes.

The Senate refused to recede from its action in adopting Amendment No. 8.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Johnson moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 8 to House Bill No. 945, which motion prevailed.

Mr. Johnson moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate in order to resolve the differences between the two bodies on House Bill No. 945, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Johnson, Hillis and McNally as the Conference Committee on House Bill No. 945.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

989--To increase privilege tax, criminal cases.

The Senate lifted tabling motion, reconsidered passage of the bills, reconsidered passage of Senate Amendment No. 1, withdrew Senate Amendment No. 1, adopted Senate Bill No. 2, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 989--To increase privilege tax, criminal cases.

SENATE AMENDMENT NO. 2

Amend House Bill No. 989 by deleting from Section 1 lines one through five in their entirety and substituting instead the following new lines:

Tennessee Code Annotated, Section 67-4102, Item J (a) (2) is amended by increasing the amount of the privilege tax on litigation in the amount of two dollars (\$2.00) notwithstanding any other adjustment in the amount of such tax by an enactment of the 1983 session of the General Assembly whether prior or subsequent in time to the enactment of this bill.

Tennessee Code Annotated, Section 67-4102, Item J (a) (2) is further amended by adding at the end of that subsection the following language:

Mr. Stallings moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	93
Noes	2

Representatives voting aye were: Anderson, Atchley, Bell,

Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

Representatives voting no were: Robertson and Scruggs--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

991--To regulate operation, transitory vendors.

The Senate nonconcurred in House Amendment No. 3.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF SENATE BILL NO. 991

Senate Bill No. 991--To regulate operation, transitory vendors.

Mr. Wolfe moved that the motion to reconsider Senate Bill No. 991 be lifted from the table, which motion prevailed.

Mr. Wolfe moved that the House reconsider its action in passing Senate Bill No. 991 on third and final consideration, as amended, which motion prevailed.

Mr. Wolfe moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 991 by deleting the word "sheriff" wherever it appears and by substituting instead the words "county clerk".

AND FURTHER AMEND by inserting the following language as a new section immediately preceding the effective date section and by renumbering such effective date section accordingly:

Section _____. In any county having a population of not less than four hundred seventy-five thousand (475,000) nor more than five hundred thousand (500,000) according to the 1980 federal census of population or any subsequent federal census, the chief of police shall have the full responsibility to administer the provisions of this act in such county.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 991, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 197

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 197 (Senate Bill No. 411) has met and recommends that Senate amendments 1, 2, 3, 6, 7, 8, 9 and 10 be deleted and that the bill be amended by inserting the following language between the first and second sentences of the amendatory subsection (c) of Section 1:

If there is a petition of ten percent (10%) of the qualified voters who voted in the county in the last governor's election which is filed with the county election commission within thirty (30) days of final approval of such resolution by the county legislative body, then the county election commission shall call an election on the question of whether or not the tax should be levied in accordance with the provisions of this section.

For the House

Rep. S.T. Burnett
Rep. Jim McKinney
Rep. John Bragg

For the Senate

Sen. John Rucker
Sen. Frank Lashlee
Sen. Bob Burleson

Mr. Bragg moved that the Report of the Conference Committee on House Bill No. 197 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	86
Noes	11

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Kisber, Love, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Work, Yelton and Mr. Speaker McWherter--86.

Representatives voting no were: Bell, Buck, Copeland, Hassell, Kent, McAfee, McKinney, Moore (Shelby), Phillips, Williams and Wood --11.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

197--To make certain provisions, motor vehicle privilege taxes.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

527--To regulate voter registration by mail.

The Speaker appointed a Conference Committee composed of Senators Cohen, Ashe and Henry to meet with a like committee from the House to resolve the differences of the two bodies on House Bill No. 527.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 527

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 527/Senate Bill No. 444 have met and recommend that Senate amendments 1 and 2 be deleted; and that the bill be further amended by deleting the amendatory language of Section 1 in its entirety and substituting instead the following:

() The Coordinator of Elections shall place dispensers containing voter registration by mail forms in any driver examination station and all other offices that process the issuance of new Tennessee driver's licenses and the renewal of existing ones. Each county election commission may conduct supplemental voters registration at any driver examination station and all other offices that process the issuance of new Tennessee driver's licenses and the renewal of existing ones."

Respectfully submitted this 12th day of May, 1983.

For the Senate

For the House

Sen. Victor Ashe
Sen. Douglas Henry, Jr.
Sen. Steve Cohen

Rep. Bill Covington
Rep. Steve Cobb
Rep. Michael D. Murphy

Mr. Cobb moved that the Report of the Conference Committee on House Bill No. 527 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford,

Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--94.

Representative voting no was: Scruggs--1.

A motion to reconsider was tabled.

Ms. Hassell moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 121 out of order, which motion prevailed.

Senate Joint Resolution No. 121--Relative to honoring Curtis Person, Sr.

Ms. Hassell moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 121, which motion prevailed.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

133--Relative to proposed federal settlement with Mobil Oil; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENTS

House Joint Resolution No. 133--Relative to proposed federal settlement with Mobil Oil.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 133 by deleting the word "apposed" in the second line of the fifth Whereas clause and substituting in lieu thereof "opposed"

Amend further amend by deleting the word "Odel" in the third resolving clause and substitute in lieu thereof "Hodel".

SENATE AMENDMENT NO. 2

Amend House Joint Resolution No. 133 by adding the words "Sen. Jim Sasser, Sen. Howard Baker, Reps. Jim Cooper, Harold Ford, Don Sundquest, Ed Jones, Bill Boner, John Duncan, Marilyn Lloyd and Jimmy

Quillen after the word "Jr." in the caption and after the word "Jr." in the first resolving clause.

Mr. Sir moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes	77
Noes	13
Present and not voting	2

Representatives voting aye were: Atchley, Bell, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Wheeler, Whitson, Williams, Withers, Wolfe, Work and Yelton--77.

Representatives voting no were: Anderson, Bewley, Chiles, Clark (Sumner), Ford, Huskey, King (Washington), McAfee, Robinson (Washington), Scruggs, Ussery, Webb and Wood--13.

Representatives present and not voting were: Bragg and Hudson--2.

A motion to reconsider was tabled.

Mr. Yelton moved that the rules be suspended for the purpose of introducing House Resolution No. 95 out of order, which motion prevailed.

House Resolution No. 95--Relative to commending Felecia Grindstaff--By Yelton, Buck and Robinson (Davidson).

Mr. Yelton moved that the rules be suspended for the immediate consideration of House Resolution No. 95, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return Senate Bill No. 828, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF SENATE BILL NO. 828

Senate Bill No. 828--To set maximum effective rates of interest.

Mr. Copeland moved that the motion to reconsider Senate Bill No. 828 be lifted from the table, which motion prevailed.

Mr. Copeland moved that the House reconsider its action in passing Senate Bill No. 828 on third and final consideration, as amended, which motion prevailed.

Mr. McKinney moved that the House reconsider its action in adopting Amendment No. 3, which motion prevailed.

Mr. McKinney moved that Amendment No. 3 be withdrawn, which motion prevailed.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 828 by inserting the words "or 24% per annum, whichever is less immediately following the word "America" in the amendatory subsection (3) of Section 1.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 828, as amended, passed its third and final consideration by the following vote:

Ayes	62
Noes	34
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Bragg, Chiles, Clark (Sumner), Copeland, Davidson, Davis (Hamilton), DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Hudson, Huskey, Jones, Kent, King (Shelby), King (Washington), Kisber, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Starnes, Tanner, Ussery, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--62.

Representatives voting no were: Bell, Buck, Burnett, Bryd, Clark (Davidson), Cobb, Covington, Crain, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Gill, Herndon, Hillis, Hurley, Jared, Johnson, Kelley, Kernell, Love, McAfee, McKinney, Miller, Murray, Naifeh, Pruitt, Shirley, Sir, Stallings, Turner, Wallace, Withers and Wix--34.

Representative present and not voting was: Robinson (Davidson) --1.

A motion to reconsider was tabled.

RESOLUTION LYING OVER

Senate Joint Resolution No. 97--Relative to increasing focus, satellite area, UT.

The Speaker referred Senate Joint Resolution No. 97 to the Committee on Education.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

251--Relative to honoring Jamie Acuff;

253--Relative to commending Mrs. Emma Alexander Gordon;

255--Relative to congratulating MTSU Horse Judging Team;

256--Relative to expressing sorrow, death of Dr. Nick Mathews;

257--Relative to congratulating MTSU Livestock Judging Team;

258--Relative to naming Frayser campus, the "Elbert T. Gill Campus"; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

64--To continue Alcoholic Beverage Commission.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

RECESS

On motion, the House recessed for the purpose of hearing from Commissioner Sansom, Gerald Adams and Don Morton regarding the budget.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

Mr. McKinney moved that the House recess until 2:00 p.m., which motion prevailed.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

1261--To provide for Presidential Preference Advisory Referendum, Knox County; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 32, 206, 257, 385, 804, 854, 906, 994, 1029, 1047, 1072, 1088, 1117, 1132, 1139, 1171 and 1296; House Resolutions Nos. 76, 80, 81, 82, 85 and 87; and House Joint Resolutions Nos. 154 and 236; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 32, 206, 257, 385, 804, 854, 906, 994, 1029, 1047, 1072, 1088, 1117, 1132, 1139, 1171 and 1296; House Resolutions Nos. 76, 80, 81, 82, 85 and 87; and House Joint Resolutions Nos. 154 and 236.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1350; and House Joint Resolution No. 260; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1345--To amend Road Law, Lake County;

1350--To regulate West Carroll Special School District; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1140--To amend Sections 55-7-108 and 55-7-117;

1185--To make certain changes, control of banks; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 13, 68, 77, 99, 224, 228, 232, 233, 234, 235, 240, 241, 242, 243, 245, 246, 247, 248 and 252; also, House Bills Nos. 11, 93, 223, 874, 903, 974, 1012, 1027, 1066, 1154, 1254, 1255 and 1342; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 11, 93, 223, 874, 903, 974, 1012, 1027, 1066, 1154, 1254, 1255 and 1342; and House Joint Resolutions Nos. 13, 68, 77, 99, 224, 228, 232, 233, 234, 235, 240, 241, 242, 243, 245, 246, 247, 248 and 252; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint

Resolutions Nos.:

141--Relative to will, William A. Goodwyn;

159--Relative to urging TWRA to withdraw involvement, Mississippi Valley Population Plan;

160--Relative to extending season, geese hunting;

187--Relative to recreational boating;

254--Relative to Federal Deposit Insurance Corporation and United Southern Bank; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

527--To regulate voter registration by mail.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1161--General Appropriations Bill.

The Senate lifted the tabling motion; reconsidered passage of the bill; refused to recede from our action in adopting Amendment No. 1; reconsidered action in adopting Amendment No. 2; adopted Amendment No. 1 to Amendment No. 2; adopted Amendment No. 2 to Amendment No. 2; adopted Amendment No. 3 to Amendment No. 2; then adopted Amendment No. 2, as amended; refused to recede from our action in adopting Amendments Nos. 7, 14, 15, 17, as amended, 18, as amended, 21, 22 and 23, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF AMENDED BILL

House Bill No. 1161--General Appropriations Bill.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendments Nos. 1, 2, 7, 15, 17, 18, 21, 22 and 23 to House Bill No. 1161.

Ms. DeBerry requested a Division of the Question in order to consider each amendment separately.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendment No. 1 to House Bill No. 1161, which motion prevailed.

Mr. Henry moved that the House concur in Senate Amendment No. 1 to House Bill No. 1161.

Mr. McKinney moved that the rules be suspended in order not to read each amendment, which motion failed by the following vote:

Ayes	60
Noes	26
Present and not voting	2

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Disspayne, Elsea, Ford, Frensley, Gafford, Gaia, Harrill, Hassell, Herndon, Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), Kisber, McKinney, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Napier, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Turner, Wallace, Webb, Whitson, Wix, Work and Yelton--60.

Representatives voting no were: Atchley, Bragg, Burnett, Copeland, Crain, Davis (Hamilton), DeBerry, Drew, Duer, Ellis, Henry, Hillis, Jones, King (Shelby), Love, McAfee, Naifeh, Nance, Robinson (Hamilton), Starnes, Ussery, Williams, Withers, Wolfe, Wood and Mr. Speaker McWherter--26.

Representatives present and not voting were: Brewer and Miller --2.

Thereupon, on motion, the motion to concur in Senate Amendment No. 1 to House Bill No. 1161 prevailed.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendment No. 2, which motion prevailed.

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 2

Amend Amendment No. 2 by deleting from Senate Finance, Ways and Means Committee Amendment No. 2, the two-page amendment concerning the federal "Jobs Bill" which is numbered item 31 of Amendment No. 2, and substitute in lieu thereof the following:

Section _____. BE IT FURTHER ENACTED, That upon passage any funds received by state departments and agencies under the federal "Jobs Bill," Public Law 98-8, shall be subject to the provisions of Section 23 of this Act regarding new or expanded programs.

SENATE AMENDMENT NO. 2 TO SENATE AMENDMENT NO. 2

Amend Amendment No. 2 by deleting from Senate Finance, Ways and Means Committee Amendment No. 2, the one page amendment concerning the Tennessee Occupational Safety and Health Act which is numbered item 14 of Amendment No. 2 and substitute in lieu thereof the following:

by adding the following new item to Section 11:

Item _____. Notwithstanding any provision of his act to the contrary, no funds appropriated pursuant to the provisions of this act or earmarked pursuant to the provisions of TCA, Sections 56-4-206, 56-4-207 or 50-1201 for the administration and implementation of the Tennessee Occupational Safety and Health Act shall be obligated or expended for any other purpose. No such funds shall revert to the general fund on June 30, 1983 or on any June 30 thereafter and such funds shall remain available for the purpose for which appropriated.

SENATE AMENDMENT NO. 3 TO SENATE AMENDMENT NO. 2

Amend Amendment No. 2 by deleting from Senate Finance, Ways and Means Committee Amendment No. 2, the one page amendment concerning the loan of community development funds which is numbered item 24 of Amendment No. 2 and substitute in lieu thereof the following:

by deleting the words "and/or loans" and "and/or loan" wherever they appear in Section 42 of Senate Bill No. 869 as introduced.

Mr. Henry moved that the House concur in Senate Amendment No. 2, as amended, to House Bill No. 1161.

Mr. McKinney moved the previous question on Amendment No. 2, which motion prevailed by the following vote:

Ayes	56
Noes	15
Present and not voting	2

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Davidson, Davis (Gibson), Dills, Disspayne, Duer, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), McAfee, McKinney, McNally, Murray, Nance, Napier, Percy, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stafford, Stallings, Starnes, Ussery, Wallace, Wheeler, Whitson, Williams, Wood

and Yelton--56.

Representatives voting no were: Burnett, Cobb, DeBerry, Ellis, Jones, Kernell, Love, Murphy, Naifeh, Robinson (Davidson), Robinson (Hamilton), Sir, Tanner, Withers and Wolfe--15.

Representatives present and not voting were: Brewer and Kisber--2.

Thereupon, on motion, the motion to concur in Senate Amendment No. 2, as amended, to House Bill No. 1161 prevailed.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendment No. 7, which motion prevailed.

Mr. Henry moved that the House concur in Senate Amendment No. 7 to House Bill No. 1161.

Mr. McKinney moved the previous question on Amendment No. 7, which motion prevailed by the following vote:

Ayes	85
Noes	6

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--85.

Representatives voting no were: Covington, DeBerry, Jones, Kernell, Robinson (Hamilton) and Withers--6.

Thereupon, on motion, the motion to concur in Senate Amendment No. 7 to House Bill No. 1161 prevailed.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendment No. 15, which motion prevailed.

Mr. Henry moved that the House concur in Senate Amendment No. 15 to House Bill No. 1161.

Mr. McKinney moved the previous question which motion prevailed by the following vote:

Ayes	76
Noes	14

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Kelley, Kent, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murray, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--76.

Representatives voting no were: Burnett, Cobb, DeBerry, Dixon, Drew, Ellis, Jones, Kernell, Moore (Sullivan), Murphy, Naifeh, Robinson (Hamilton), Tanner and Withers--14.

Thereupon, on motion, the motion to concur in Senate Amendment No. 15 to House Bill No. 1161 prevailed.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendment No. 17, as amended, which motion prevailed.

Mr. Henry moved that the House concur in Senate Amendment No. 17, as amended, to House Bill No. 1161.

Mr. McKinney moved the previous question on Amendment No. 17, which motion prevailed by the following vote:

Ayes	84
Noes	7

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--84.

Representatives voting no were: DeBerry, Drew, Jones, Kernell, Kisber, Naifeh and Tanner--7.

Thereupon, on motion, the motion to concur in Senate Amendment No. 17, as amended, to House Bill No. 1161 prevailed.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendment No. 18, as amended, which motion prevailed.

Mr. Henry moved that the House concur in Senate Amendment No. 18, as amended, to House Bill No. 1161, which motion prevailed.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendment No. 21, which motion prevailed.

Mr. Henry moved that the House concur in Senate Amendment No. 21 to House Bill No. 1161, which motion prevailed.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendment No. 22, which motion prevailed.

Mr. Henry moved that the House concur in Senate Amendment No. 22 to House Bill No. 1161, which motion prevailed.

Mr. Henry moved that the House reconsider its action in nonconcurring in Senate Amendment No. 23, which motion prevailed.

Mr. Henry moved that the House concur in Senate Amendment No. 23 to House Bill No. 1161, which motion prevailed.

Mr. Henry moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 14 to House Bill No. 1161.

Mr. McKinney moved that the motion be tabled, which motion prevailed.

Mr. McKinney moved that the House reconsider its action in nonconcurring in Senate Amendment No. 14, which motion prevailed.

Mr. McKinney moved that the House concur in Senate Amendment No. 14 to House Bill No. 1161, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller,

Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representative present and not voting was: DeBerry--1.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1162--To authorize bond issue, certain state departments.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1162 by deleting in Item 1 of Section 4 the words and figures as introduced "Six Hundred Ninety-three Thousand (\$693,000) Dollars" and substituting the words and figures "Four Hundred Sixty Thousand (\$460,000) Dollars."

Mr. Henry moved that the House concur in Senate Amendment No. 2 to House Bill No. 1162, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 557

Senate Bill No. 557--To enact Tennessee Conservation Corps Act.

Mr. Murphy moved that the motion to reconsider Senate Bill No. 557 be lifted from the table, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in passing Senate Bill No. 557 on third and final consideration, as amended, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Murphy moved that Amendment No. 1 be withdrawn, which motion prevailed.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 557 by adding the following new Section to read:

"Sec. __: The provisions of this Act shall not constitute an appropriation unless funds are included in the appropriations bill. Any other funds requested for this program shall be treated as an expansion request and subject to approval by joint Finance, Ways and Means Committee.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 557, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 387--To provide additional funds, juvenile court services.

On motion, House Bill No. 387 was made to conform with Senate Bill No. 940.

On motion, Senate Bill No. 940, on same subject, was substituted for House Bill No. 387.

Mr. Murphy moved that Senate Bill No. 940 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--97.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Miller moved that action on Senate Bill No. 374 be deferred until January, 1984, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

117--To amend Title 37, Chapter 2, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 117--To amend Title 37, Chapter 2, Code.

SENATE AMENDMENT NO. 2

Amend House Bill No. 117 by deleting the words "subsection (c) above" in the amendatory language of SECTION 2 subsection (e) and substituting instead "subsections (c) and (h)"

and further amend by deleting Section 7 thereof containing the following language:

No funds shall be obligated or expended to implement the provisions of this act in any fiscal year unless such funds are specifically appropriated in the general appropriations act for such fiscal year.

AND FURTHER AMEND by deleting in the third line of the directory language of Section 2 the word and figure "and (g)" and by substituting in lieu thereof the word and figures ",(g), (h) and (i)".

and further amend by deleting in subsection (f) of Section 2 the words "by the Tennessee Corrections Institute" wherever they appear and substitute in lieu thereof the words "jointly by the Department of Correction and the Comptroller".

and further amend by deleting in subsection (i) of Section 2 the words "by the Tennessee Corrections Institute" and substitute in lieu thereof "jointly by the Department of Correction and the Comptroller".

and further amend by deleting in subsection (i) of Section 2 the word "completely".

Mr. Murphy moved that the House concur in Senate Amendment No. 2 to House Bill No. 117, which motion prevailed by the following vote:

Ayes	94
Noes	1
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--94.

Representative voting no was: Dills--1.

Representatives present and not voting were: Buck and Stafford
--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

230--Relative to study state and local revenue structure; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 230--Relative to study, state and local revenue structure.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 230 by deleting in their entireties the first thirty-two preambles of the Resolution, each of which begins with the word "WHEREAS".

Mr. Bragg moved that the House concur in Senate Amendment No. 1 to House Joint Resolution No. 230, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

302--To amend Criminal Injuries Compensation Act.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators Henry, Longley and Ortwein to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 302.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Cobb moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 302, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Cobb, Murphy and Copeland as the Conference Committee on Senate Bill No. 302.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

352--To provide increase, taxes, criminal cases.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 352

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 970 (Senate Bill No. 352) has met and recommends that Senate amendment 1 and House amendment 2 be adopted; that House amendment 1 be deleted; and that the bill be further amended by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. No state funds shall be obligated or expended pursuant to this act for the purpose of funding the State Courts Clerk's Conference unless such meeting is held in a state facility when practical. In the event it is not practical to hold such meeting in a state park, the reasons and cost therefor must be set forth in writing by the affected agency head and shall be forwarded to the Commissioner of Finance and Administration.

For the House

Rep. John Bragg
Rep. Ivory Hillis
Rep. Owen

For the Senate

Sen. Koella
Sen. Ashe
Sen. Rochelle

Mr. Bragg moved that the Report of the Conference Committee on Senate Bill No. 352 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

663--To regulate competency certain medical tests:

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 663

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill 663/House Bill 594 have met and recommend that Senate amendment 1 be adopted, that House amendment 1 be deleted, and that the bill be further amended by adding the following to Section 3 of the bill:

The provisions of this act shall not apply to actions filed prior to July 1, 1983. Nor shall the provisions of this Act apply to actions filed subsequent to July 1, 1983, if a previous action between the same parties alleging the same cause of action was filed prior to July 1, 1983, and was non suited by the plaintiff.

It is further recommended that Section 6 of the bill be amended to read:

The act shall take effect July 1, 1983, the public welfare requiring it.

Respectfully submitted this 12 day of May 1983.

FOR THE SENATE	FOR THE HOUSE
Senator John R. Rucker	Representative Dick Clark
Senator Curtis Person, Jr.	Representative Michael D. Murphy
Senator L. C. Dunavant	Representative Lincoln Davis

Mr. Davis (Pickett) moved that the Report of the Conference Committee on Senate Bill No. 663 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

881--To amend Section 39-6-1718, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 881--To amend Section 39-6-1718, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 881 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-6-1718, is amended by adding the following new subsection:

(7) Only to the extent a person strictly conforms his behavior to the requirements of one of the following classifications:

(A) A person hunting during the lawful hunting season on lands owned by any public or private educational institution and designated as open to hunting by the administrator of said educational institution.

(B) A person possessing unloaded hunting weapons while transversing the grounds of any public or private educational institution for the purpose of gaining access to public or private lands open to hunting with the intent to hunt on said public or private lands unless the lands of the educational institution are posted prohibiting such entry.

(C) A person who possesses guns or knives when conducting or attending "gun and knife shows" when such program has been approved by the administrator of the educational institution.

(D) A person who enters the property for the sole purpose of delivering or picking up passengers and who does not remove any weapon from the vehicle or utilize them in any manner.

At such time as such person's behavior no longer strictly conforms to one of such classifications such person shall be subject to the provisions of subsection (b).

AND FURTHER AMEND by deleting from the first sentence of Tennessee Code Annotated, Section 39-6-1718 (c), the words "The provisions of subsection (a) shall not apply" and by substituting instead the words "The provisions of subsection (b) shall not apply".

SENATE AMENDMENT NO. 2

Amend House Bill No. 881 by deleting the section which reads as follows:

The provisions of this act shall not apply in any county having a population of not less than 287,700 nor more than 287,800 nor in any county having a population of more than 700,000 according to the 1980 federal census of population or any subsequent federal census nor in any county having a metropolitan form of government.

AND FURTHER AMEND by deleting the section which reads as follows:

The provisions of this act shall not apply in any county having a population of not less than 319,625 nor more than 319,725 according to the 1980 federal census of population or any subsequent federal census.

Mr. Hillis moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes	82
Noes	6
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McKinney, McNally, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--82.

Representatives voting no were: Burnett, DeBerry, Drew, King (Washington), McAfee and Miller--6.

Representatives present and not voting were: Elsea and Stafford--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

917--To amend Title 5, Chapter 1, Part 2, Code.

The Speaker appointed a Conference Committee composed of Senators Person, Ford and Cohen to confer with a like committee from the House to resolve the differences of the two bodies on House Bill No. 917.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 917

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 816/House Bill No. 917 have met and recommend that Senate amendments 3,4,5,6 and 7 and House amendment 2 be deleted, and that the bill be further amended by deleting from the second sentence of the amendatory language of Section 1 the word "majority" and substituting instead the words and figures "two-thirds (2/3) vote".

It is further recommended that the bill be amended by deleting Sections 3 and 4 in their entirety and substituting instead the following:

SECTION 3. The provisions of this act shall not apply in counties having a population of

not less than	nor more than
26,400	26,500
47,575	47,615
7,650	7,700
9,350	9,400
4,300	4,400
19,500	19,575
13,565	13,600
14,925	14,940
15,675	15,775
6,125	6,225
38,300	38,315
32,600	32,700
4,500	4,600
31,900	32,000

143,900
287,700

144,000
287,800

according to the 1980 federal census of population or any subsequent federal census.

SECTION 4. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

Respectfully submitted this the ____ day of May, 1983

FOR THE SENATE

FOR THE HOUSE

Senator Steve Cohen
Senator Curtis Person, Jr.
Senator John Ford

Representative Elbert Gill
Representative Pam Gaia
Representative Lois DeBerry

Mr. Gill moved that the Report of the Conference Committee on House Bill No. 917 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	90
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90.

Representative voting no was: Byrd--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

945--To provide for disposal, hazardous wastes.

The Speaker appointed a Conference Committee composed of Senators Crockett, Albright and Person to meet with a like committee from the House to resolve the differences of the two bodies on H. B. No. 945.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 945

The House and Senate Conference Committees appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 892/House Bill 945 have met and recommend that Senate amendments 5 and 7 and House amendments 1, 2, 3, and 4 be adopted; that Senate amendment 8 be deleted; and that the bill be further amended by deleting Section 14 in its entirety and by substituting instead the following:

"The jurisdiction for all civil proceedings under this act shall be in the chancery court of Davidson County."

FOR THE HOUSE

FOR THE SENATE

Rep. Ray Johnson
Rep. Ivory O. Hillis
Rep. Randy McNally

Sen. Joe L. Crocket
Sen. Robert O. Burleson
Sen. Ray Albright

Mr. Johnson moved that the Report of the Conference Committee on House Bill No. 945 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner,

Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1192--To transfer Planning office to Economics and Community Development; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1192--To transfer Planning office to Economic and Community Development.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1192 by deleting the bill in its entirety including Sections 1 through 7 and substituting instead the following:

WHEREAS, the department of economic and community development was established to strengthen the state's services to communities, business and industry and;

WHEREAS, the local planning division of the state planning office operates a comprehensive planning program and related functions cutting across a wide range of issues and opportunities which affect local governments and;

WHEREAS, the effectiveness of the programs of the department and those of the local planning division can be enhanced by the transfer of the local planning division to the department of economic and community development;

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 7 is amended by adding a new Section to read as follows:

As a part of the department there is hereby created a local planning assistance section whose purpose shall be to make studies or reports upon any planning matter or problem of any county, municipality, or other subdivision of the state upon request of the county court of any county or the board of aldermen, council or commissioners or other chief

legislative body of any municipality, or other political subdivision. This may include planning for all matters relating to all state and federal programs as may effect local governments or subdivisions. The local planning assistance section is hereby authorized to make such agreements or contracts with such courts, boards, or body as to the amount, if any, to be paid to the local planning assistance section for any such planning activity.

SECTION 2. Tennessee Code Annotated, Section 13-1-102 is amended by substituting for the word "governor" appearing in subsection (2) thereof the word "commissioner"; and by substituting for the word "office" appearing in subsection (2) thereof the word "section."

Tennessee Code Annotated, Section 13-1-102 is further amended by transferring it in its entirety to Tennessee Code Annotated, Title 4, Chapter 3, Part 7 and renumbering it as a new section herein.

SECTION 3. Tennessee Code Annotated, Section 13-1-106, is amended by deleting it in its entirety.

SECTION 4. Tennessee Code Annotated, Section 4-3-104 is amended by adding the following new subsection:

References to the state planning office appearing in Tennessee Code Annotated, Title 13, Chapter 3; Title 9, Chapter 16; Sections 67-3047, 54-4-203 and 57-5-205; shall be deemed references to the department of economic and community development.

SECTION 5. Tennessee Code Annotated, Section 4-3-113 is amended by adding the following new subsection:

References to the director of state planning office appearing in Tennessee Code Annotated, Title 13, Chapter 3 shall be deemed references to the commissioner of economic and community development.

SECTION 6. The employees of the office of local planning in the office of state planning on the effective date of this Act shall become employees of the department of economic and community development. On the effective date of Act, all property and equipment in the custody and possession of the office of local planning shall be transferred to the department of economic and community development. All contracts entered into by the office of local planning prior to the effective date of this Act shall remain in full force and effect as if entered into by the department of economic and community development unless amended or cancelled by the parties.

SECTION 7. Tennessee Code Annotated, Section 13-3-101 is amended by adding the following before the first sentence of this Section:

The state planning office may create and establish planning regions and define the boundaries respectively of such planning regions. Any such planning region may, in accordance with the boundary definition made by the state planning office, be composed of the territory of a single county or of two (2) or more contiguous whole counties or of a part of a county or of contiguous parts of two (2) or more counties or of one or more counties together with a part of parts of another county or other counties or any other territory as designated and defined by the state planning office whether the boundaries thereof conform to any existing boundary or boundaries of a county or counties or other political subdivision or subdivisions or do not so conform.

SECTION 8. Tennessee Code Annotated, Section 13-3-101 is further amended by substituting for the language "under the provisions of 13-1-106." appearing in subsection (a) thereof, the language "under the provisions of this section."

SECTION 9. Tennessee Code Annotated, Section 13-1-105 is amended by deleting the second and third sentences of the second paragraph.

SECTION 10. If any provision of this Act or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 11. This Act shall take effect on July 1, 1983.

Mr. Hudson moved that the House concur in Senate Amendment No. 1 to House Bill No. 1192, which motion prevailed by the following vote:

Ayes	90
Noes	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Rhinehart, Robertson,

Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--90.

Representatives voting no were: Burnett, DeBerry, Jones and Withers--4.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

44--To regulate sale, substances purporting to be certain controlled substances.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 44

The House and Senate Conference Committees appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 44/House Bill No. 473 have met and recommend that House amendments 5, 6 and 7 and Senate amendment 1 be adopted; that House amendments 1, 2, 3 and 4 be deleted; and that the bill be further amended by adding the following new subparts to subsection (c) of Section 1 as amended:

() a substance which may be legally purchased at a drug or grocery store without a prescription provided such substance is not represented by the seller to be a controlled substance;

() a substance that is packaged and labeled in accordance with appropriate rules and regulations of the U.S. Food and Drug Administration shall create a rebuttable presumption that the manufacturer or wholesaler of such substance is exempted from the provisions of this section;

Respectfully submitted this the 12th day of May, 1983

FOR THE HOUSE

Rep. Randy McNally
Rep. Jerry Jared
Rep. Michael D. Murphy

FOR THE SENATE

Sen. Burk
Sen. Atchley
Sen. Richardson

Mr. McNally moved that the Report of the Conference Committee on Senate Bill No. 44 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes 83
Noes 9

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Wolfe, Wood and Yelton--83.

Representatives voting no were: Burnett, Chiles, Cobb, DeBerry, Hudson, Rhinehart, Scruggs, Withers and Work--9.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

169--To fix liability, damaged textbooks.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 169

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 169 / House Bill No. 637 have met and recommend that House amendments 1, 3 and 4 be deleted; and that the bill be further amended by deleting Section 2 in its entirety and by substituting instead the following new sections:

SECTION 2. The commissioner may collect from local education agencies the data needed to administer this act effectively.

SECTION 3. This act shall take effect July 1, 1983, the public welfare requiring it.

FOR THE HOUSE

**REPRESENTATIVE COBB
REPRESENTATIVE COVINGTON
REPRESENTATIVE MURPHY**

FOR THE SENATE

**SENATOR CROCKETT
SENATOR DUNAVANT
SENATOR RUCKER**

Mr. Cobb moved that the Report of the Conference Committee on Senate Bill No. 169 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	88
Noes	5

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--88.

Representatives voting no were: Burnett, DeBerry, Drew, Jones and Withers--5.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.: 564--To regulate sale, alcoholic beverages.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 564

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 27 Senate Bill No. 564 has met and recommends that House amendment No. 2 be adopted; and recommends that House amendment No. 1 be deleted.

Respectfully Submitted this the 12 day of May, 1983.

House Members:

Rep. Michael D. Murphy
Rep. John C. Chiles
In Dissent
Rep. Wm. Owen

Senate Members:

Sen. Burks
Sen. Rochelle
Sen. Robert Burleson

Mr. Chiles moved that the Report of the Conference Committee on Senate Bill No. 564 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	71
Noes	18
Present and not voting	3

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Burnett, Chiles, Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sir, Smith, Stafford, Starnes, Tanner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix and Yelton --71.

Representatives voting no were: Atchley, Byrd, Copeland, Covington, Dills, Harrill, Hudson, Hurley, Huskey, Nance, Robertson, Scruggs, Shirley, Shockley, Stallings, Wolfe, Wood and Work--18.

Representatives present and not voting were: Anderson, Owen and Turner--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. King (Shelby) moved that the rules be suspended for the purpose of introducing House Resolution No. 96 out of order, which motion prevailed.

House Resolution No. 96--Relative to commending Marilyn Evelyn Hand and staff--By King (Shelby).

Mr. King (Shelby) moved that the rules be suspended for the immediate consideration of House Resolution No. 96, which motion prevailed.

Mr. King (Shelby) moved that House Resolution No. 96 be adopted, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

Mr. Bell moved that the rules be suspended for the purpose of introducing House Resolution No. 97 out of order, which motion prevailed.

House Resolution No. 97--Relative to commending Terrance O. Fluker--By Bell, DeBerry and Starnes.

Mr. Bell moved that the rules be suspended for the immediate consideration of House Resolution No. 97, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 137--Relative to adjournment, 1983 Session, 93rd General Assembly.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 137 by deleting the words

"Friday, April 29, 1983" and substituting instead the words "Thursday, May 12, 1983".

Mr. McKinney moved that the House concur in Senate Amendment No. 1 to House Joint Resolution No. 137, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

Mr. Owen moved that the rules be suspended for immediate consideration of House Bill No. 1332, which motion prevailed.

House Bill No. 1332--To enact Technology Corridor Development Authority Act.

On motion, House Bill No. 1332 was made to conform with Senate Bill No. 1230.

On motion, Senate Bill No. 1230, on same subject, was substituted for House Bill No. 1332.

Mr. Owen moved that Senate Bill No. 1230 be passed on third and final consideration.

Mr. Owen moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1230 by deleting the following language from the amendatory language of Section 5b:

thence along the centerline of Cedar Bluff Road, south to its intersection with Kingston Pike; thence along the centerline of Kingston Pike, west to its intersection with Lovell Road.

and by substituting instead the following language:

thence along the centerline of Cedar Bluff Road, south to its intersection with Park West Blvd.; thence west on Park West Blvd. to its termination point 500 yards west of Park West Hospital; thence south along a straight line until it intersects with Interstate 40; thence east on Interstate 40 to its intersection with Cedar Bluff Road; thence south along the centerline of Cedar Bluff Road to its intersection with Kingston Pike; thence along the centerline of Kingston Pike, west to its intersection with Lovell Road.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1230 by deleting the period "." at the conclusion of Section 7 (b) and by substituting instead the following language:

; provided, however, all construction proposed by the authority to be undertaken, in whole or in part, with state funds shall be submitted to the state building commission for review and no such construction shall be undertaken by the authority without the advance approval of such commission.

AND FURTHER AMEND by inserting the following language as a new section immediately preceding the local ratification section and by appropriately renumbering subsequent sections:

The Tennessee Technology Corridor Development Authority shall be subject to audit by the comptroller of the treasury in the manner established by the provisions of Tennessee Code Annotated, Section 8-4-109, for audit of state agencies.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1230, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller,

Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--91.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 171--Starnes

House Bill No. 1332--Miller

SECOND ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

INTRODUCTION OF BILL

House Bill No. 1360--To repeal Chapter 58, Title 67, Code--By Naifeh, Burnett and Tanner.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 253--To make appropriation, Meharry Medical College.

Passed first consideration.

Senate Bill No. 254--To make appropriation, Meharry Medical College.

Passed first consideration.

Senate Bill No. 255--To make appropriation, Meharry Medical College.

Passed first consideration.

Senate Bill No. 256--To make appropriation, Meharry Medical College.

Passed first consideration.

Senate Bill No. 351--To authorize bond issue, certain bridge, Funding Board.

Passed first consideration.

Senate Bill No. 719--To regulate compensation, administration of estates.

Passed first consideration.

Senate Bill No. 926--To amend Section 49-605, Code.

Passed first consideration.

Senate Bill No. 992--To regulate scenic highway system.

Passed first consideration.

Senate Bill No. 1120--To regulate control, Supreme Court Building.

Passed first consideration.

Senate Bill No. 1126--To create Memphis Development and Recreation Authority.

Passed first consideration.

Senate Bill No. 1217--To regulate coon dog training, Tipton County.

Passed first consideration.

Senate Bill No. 1253--To regulate trapping of wildlife, Clay County.

Passed first consideration.

SENATE BILL ON SECOND CONSIDERATION

Senate Bill No. 1201--To regulate sale of beer, Anderson County.

Passed second consideration and held without reference.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1355--To establish advisory referendum, alcoholic beverages.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1356--To increase number of Commissioners, Humphreys Country Port Authority.

Passed second consideration and held without reference.

House Bill No. 1357--To amend charter, Murfreesboro.

Passed second consideration and held without reference.

House Bill No. 1358--To provide trust fund for medically indigent, certain counties.

Passed second consideration and held without reference.

House Bill No. 1359--To provide trust fund for medically indigent, certain counties.

Passed second consideration and held without reference.

House Bill No. 1361--To provide for compensation, officers and employees, Murfreesboro.

Passed second consideration and held without reference.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

260--Relative to partial expenses, military funeral; concurred in

by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1304 and 1333, and House Joint Resolution No. 222 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

917--To amend Title 5, Chapter 1, Part 2, Code.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

945--To provide for disposal, hazardous.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolution No. 225 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 947; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 947; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 64, 191, 197, 491, 587, 959, 1140, 1145, 1177, 1182 and 1185; House Resolutions Nos. 83 and 84; and House Joint Resolutions Nos. 141, 159, 160, 187, 251, 253, 255, 256, 257 and 258; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 64, 191, 197, 491, 587, 959, 1140, 1145, 1177, 1182 and 1185; House Resolutions Nos. 83 and 84; and House Joint Resolutions Nos. 141, 159, 160, 187, 251, 253, 255, 256, 257 and 258.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 111; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolution No. 111.

SELECT COMMITTEE APPOINTMENTS

The Speaker announced that he had appointed the following committee to notify the Senate that the House had completed its business for this session and was ready to adjourn until January 10, 1984: Representatives Burnett and Stafford.

The Speaker announced that he had appointed the following committee to notify the Governor that the House had completed its business for this session and was ready to adjourn until January 10, 1984: Representatives DeBerry, Chairman; Duer, Gaia, Hassell, Montgomery, Moore (Sullivan), Robinson (Washington), and Williams.

REPORTS OF SELECT COMMITTEES

Mr. Burnett advised the House that the Senate had been notified that the House had completed its business for this session and was ready to adjourn until January 10, 1984.

Ms. DeBerry advised the House that the Governor had been notified that the House had completed its business for this session and was ready to adjourn until January 10, 1984, and that the Governor stated he had no further communications to transmit to the House.

A Committee from the Senate composed of Senators Lewis, Rochelle and Cohen notified the House that the Senate had completed its business for this session and was ready to adjourn until January 10, 1984.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to notify the House that the Senate has completed its business for the First Regular Session and is ready to adjourn until noon, January 10, 1984.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ARTICLE III, SECTION 18
CONSTITUTION OF TENNESSEE**

All bills and joint resolutions presented to the Governor subsequent to May 2, 1983 for his action, being within ten days of the adjournment of the First Regular Session of the Ninety-third General Assembly, which prevents the return of said bills and joint resolutions to the House within the ten-day period, and accordingly, the final action taken by the Governor will be filed by him in the Secretary of State's Office, all in compliance with Article III, Section 18 of the Constitution of the State of Tennessee, relating to the Governor's veto power.

On motion of Mr. Naifeh, the Journal of the House of Representatives and the proceedings thereof were approved from the

First through the Fifth Day of the Organizational Session, and the First through the Forty-first Day of the First Regular Session.

Thereupon, Mr. Speaker McWherter declared the First Regular Session of the House of Representatives of the Ninety-third General Assembly adjourned until 12:00 o'clock noon on Tuesday, January 10, 1984, in accordance with House Joint Resolution No. 137.

NED R. McWHERTER, Speaker
House of Representatives

ATTEST:

BRYANT MILLSAPS
Chief Clerk
House of Representatives

**BILLS AND RESOLUTIONS ENROLLED, SIGNED, AND TRANSMITTED
TO GOVERNOR SUBSEQUENT TO ADJOURNMENT**

MAY 13, 1983

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 35, 117, 527, 826, 881, 917, 945, 989, 1160, 1162, 1192, 1345 and 1350; House Resolutions Nos. 66, 86, 89, 90, 91, 92, 93, 94, 95, 96 and 97; and House Joint Resolutions Nos. 133, 137, 230, 254, 259 and 260; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 13, 1983

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 35, 117, 527, 826, 881, 917, 945, 989, 1160, 1162, 1192, 1345 and 1350; House Resolutions Nos. 66, 86, 89, 90, 91, 92, 93, 94, 95, 96 and 97; and House Joint Resolutions Nos. 133, 137, 230, 254, 259 and 260.

MAY 13, 1983

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 12, 91, 158, 165, 183, 200, 445, 462, 480, 490, 592, 600,

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606, 618, 651, 676, 725, 732, 800, 858, 880, 895, 900, 922, 1009, 1039, 1246, 1250 and 1252; also, Senate Joint Resolutions Nos. 98, 105, 107, 108, 113 and 114; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 13, 1983

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 12, 91, 158, 165, 183, 200, 445, 462, 480, 490, 592, 600, 606, 618, 651, 676, 725, 732, 800, 858, 880, 895, 900, 922, 1009, 1039, 1246, 1250 and 1252; and Senate Joint Resolutions Nos. 98, 105, 107, 108, 113 and 114.

MAY 13, 1983

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 32, 35, 64, 117, 191, 197, 206, 257, 283, 385, 491, 527, 587, 615, 779, 780, 804, 826, 854, 881, 906, 917, 945, 956, 959, 989, 994, 1029, 1047, 1072, 1088, 1092, 1117, 1132, 1139, 1140, 1145, 1160, 1162, 1171, 1177, 1182, 1185, 1192, 1282, 1285, 1296, 1299, 1334, 1345 and 1350; and House Joint Resolutions Nos. 133, 137, 141, 154, 159, 160, 187, 230, 236, 250, 251, 253, 254, 255, 256, 257, 258, 259 and 260; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 16, 1983

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 32, 35, 64, 117, 191, 197, 206, 257, 283, 385, 491, 527, 587, 615, 779, 780, 804, 826, 854, 881, 906, 917, 945, 956, 959, 989, 994, 1029, 1047, 1072, 1088, 1092, 1117, 1132, 1139, 1140, 1145, 1160, 1162, 1171, 1177, 1182, 1185, 1192, 1282, 1285, 1296, 1299, 1334, 1345 and 1350; and House Joint Resolutions Nos. 133, 137, 141, 154, 159, 160, 187, 230, 236, 250, 251, 253, 254, 255, 256, 257, 258, 259 and 260; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 17, 1983

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 1161; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 17, 1983

SIGNED

The Speaker announced that he had signed the following: House Bill No. 1161.

MAY 17, 1983

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1161, signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 17, 1983

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 1161; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 19, 1983

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 26, 44, 56, 98, 169, 320, 352, 380, 454, 518, 557, 564, 663, 724, 736, 828, 940, 947, 991, 1058, 1228, 1230, 1244, 1248 and 1254; and Senate Joint Resolutions Nos. 96, 109, 112, 115, 116, 117,

119, 120 and 121, all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 19, 1983

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 26, 44, 56, 98, 169, 320, 352, 380, 454, 518, 557, 564, 663, 724, 736, 828, 940, 947, 991, 1058, 1228, 1230, 1244, 1248 and 1254; and Senate Joint Resolutions Nos. 96, 109, 112, 115, 116, 117, 119, 120 and 121.

MESSAGES FROM GOVERNOR TO SECRETARY OF STATE

MAY 13, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 853, with his veto.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 853 / Senate Bill No. 907 with my veto.

The purpose of this bill is to permit a representative of persons employed by a local education agency to serve as a voting member of the State Insurance Committee when the Committee is considering insurance programs that pertain to teachers and other employees of local education agencies. I agree with this purpose; however, I cannot agree with the procedure contained in this bill for selecting the person who will represent the employees of local education agencies.

The selection procedure contained in this bill permits a group that represents less than half of all local education employees to select the representative of all other employees. This is undemocratic and unfair. It would be better to make sure that this employee representative be selected through a process that will more accurately reflect the interest of all employees. This could be done by permitting the State Board of Education to select the employee representative or by directing the State Board of Education to develop a selection procedure which will give all local education employees an opportunity to choose their representative on the State Insurance Committee. This is what the law already requires for the selection of

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a representative of the employees of our higher education institutions.

Sincerely,

Lamar Alexander

MAY 16, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 1277, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 16, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 553, without his signature, separate message attached.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 553 / Senate Bill No. 373 without my signature.

This bill attempts to suspend the general law prohibiting split precincts when legislative districts are drawn. As written, the bill would apply to only one legislative district. It is of questionable legality. As a practical matter, it will have little effect because it is impossible to split precincts in only one legislative district. Because it applies to only one district, the bill cannot be enforced because no other district will be permitted to contain a split precinct.

Sincerely,

Lamar Alexander

House Bill No. 553 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

MAY 17, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 190, 196, 271, 272, 273, 533, 545, 638, 705, 741, 765, 781, 870, 879, 880, 954, 979, 1021, 1123, 1127, 1129, 1136, 1158, 1180, 1181 and 1183; and House Joint Resolutions Nos. 49, 53, 138, 142, 172, 173, 174, 175, 176, 183, 185, 188, 191, 193, 194, 195, 196, 198, 213, 231, 239 and 249, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 18, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 340 and 582, without his signature, separate messages attached.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 340 / Senate Bill No. 379 without my signature.

This bill will require all citizens of the State to pay for special elections when there is a vacancy in the State Senate or House of Representatives. Up until this time, special elections to fill legislative vacancies have been paid for by the counties comprising the legislative district where the vacancy occurred. This bill is unfair to the state taxpayers because they will have to start paying for elections for state officials who do not have the responsibility to represent them. Why should the citizens of Mountain City pay for an election in Memphis?

The intent of this bill was to relieve the smaller counties of the financial burden of conducting a special election when there is a legislative vacancy. I do not disagree that these costs should be avoided when possible, but I do not think the best answer is to require everyone to pay for elections that do not directly effect them.

A better, less costly, solution would be to provide that special elections to fill legislative vacancies will be conducted at times when other regular elections are scheduled. This would eliminate the cost and disruption of conducting special elections and would also add

uniformity to the election process.

Sincerely,

Lamar Alexander

House Bill No. 340 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

Dear Mr. Secretary of State:

I am returning House Bill No. 582 / Senate Bill No. 980 without my signature. I am taking this action not because I disagree with the bill's purpose which is to permit cities to consider rates charged for sewer service as a special assessment but because the body of the bill, as the result of an amendment, appears to be broader than its caption. Article II, Section 17 of the Tennessee Constitution does not permit this.

Sincerely,

Lamar Alexander

House Bill No. 582 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

MAY 20, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 210, 279, 548, 574, 667, 711, 788, 834, 835, 865, 869, 876, 878, 918, 930, 960, 1009, 1042, 1058, 1067, 1135, 1144, 1190, 1193, 1196, 1265, 1302, 1306, 1307, 1326, 1331, 1337, 1339, 1346 and 1347; and House Joint Resolutions Nos. 82, 190, 199, 201, 202, 203, 204, 205, 206, 208, 209, 211, 212, 215, 218, 219, 220, 221, 227, 229 and 244, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 23, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 11, 93, 223, 903, 947, 1012, 1027, 1066, 1154, 1254, 1255 and 1342; and House Joint Resolutions Nos. 13, 68, 77, 99, 224, 228, 232, 233, 234, 235, 240, 241, 242, 243, 245, 246, 247, 248 and 252, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 23, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 305, 773 and 886, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 24, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 874, with his veto, separate message attached.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 874 / Senate Bill No. 1012 with my veto. This action is based on my belief that this bill could have far broader consequences than those contemplated by the Legislature.

The intent of this bill is to enable one doctor to get out of paying back the loan he obtained from the State to go to medical school. I understand that he is currently not paying this loan back and that he is not entitled to participate in the existing tuition credit program. To the extent that it is designed to benefit only one person, this bill probably violates Article II, Section 31 of the Tennessee Constitution which prohibits appropriations to benefit private persons.

While the sponsors of this bill intended that it should apply to only one person, the language of the bill is so broad that it could be interpreted to require the State to give a tuition credit to all eligible doctors who practice medicine in areas where there is a physician shortage now. It could also be construed as applying to

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doctors who later move into an area where there is a physician shortage.

I fully agree with the sponsors' desire to make sure that needed health care is provided in areas of the State where there is a physician's shortage. However, because of the possible expense of this legislation when considered in light of the shortage of funds, I suggest it would be better to consider this issue again next year so that the Legislature and the Department of Health and Environment can consider more carefully which medical specialists and physicians should receive this tuition credit.

Sincerely,

Lamar Alexander

MAY 25, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 9 and 974, without his signature, separate messages attached.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 9 / Senate Bill No. 30 without my signature.

The purpose of this bill is to encourage the State Building Commission to spend nine million dollars (\$9,000,000) to expand the Mid-South Coliseum in Memphis. The bill also encourages me to include the funds for this project in the 1984-1985 capital budget.

This project, as well as other worthwhile projects that were not funded for 1983-1984 because of the Legislature's failure to enact the revenue proposals I recommended, should await consideration by the Legislature when it reviews the new budget I will present next year. I have previously stated my position on the Coliseum. I am for state participation in an appropriate amount as soon as the General Assembly enacts a general tax increase for our State's needs. In the meantime, the Administration will work with Memphis and Shelby County officials to develop appropriate plans.

Sincerely,

Lamar Alexander

House Bill No. 9 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

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Dear Mr. Secretary:

I am returning House Bill No. 974 / Senate Bill No. 864 without my signature.

This bill is in response to a recent Attorney General Opinion which states that the reduced tax rate for sales of electricity and gas by certain utilities is not retroactive. This bill makes the reduced rate passed last year retroactive and will require the State to refund taxes already paid and to cancel pending tax assessments.

Even though the State will lose approximately \$325,000 in revenue as a result of this bill, I am allowing it to become law because the General Assembly apparently did not intend to tax this type of taxpayer.

Sincerely,

Lamar Alexander

House Bill No. 974 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

MAY 26, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 32, 35, 64, 117, 197, 206, 385, 491, 527, 587, 615, 779, 780, 804, 826, 854, 881, 917, 945, 956, 959, 989, 1029, 1047, 1072, 1088, 1092, 1117, 1132, 1140, 1145, 1160, 1162, 1171, 1177, 1182, 1185, 1192, 1282, 1285, 1296, 1299, 1345 and 1350; House Joint Resolutions Nos. 137, 141, 154, 159, 160, 187, 230, 236, 250, 251, 253, 255, 256, 257, 258, 259 and 260, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 26, 1983

Dear Mr. Secretary:

I am returning House Bill No. 1161 / Senate Bill No. 869, which I have signed with the deletion of one item and a very small reduction of all General Fund appropriation items in Section 1 of the bill, in accordance with Article III, Section 18 of the Tennessee Constitution.

The General Appropriations Bill, as presented to me by the Legislature, contained expenditures which are approximately \$4,800,000 in excess of our anticipated revenues in FY 1983-1984. Accordingly, I have made an across-the-board reduction of .25% in every General Fund budget item which amounts to a \$4.8 million reduction. I have deleted

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Section 51 of the bill which provided pay raises without the new revenues to fund the raise. It is not responsible to base the pay raise on the first three months' tax collections in the new fiscal year, because in the corresponding period in 1982-1983, tax collections were low. Furthermore, if we have \$33 million in extra revenues, it should go to the children first for improvements in education and pre-natal care.

Sincerely,

Lamar Alexander

MAY 26, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 994, 1139 and 1334, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 27, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 191 and 257, with his veto.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 191 / Senate Bill No. 185 with my veto. It conflicts directly with Senate Bill No. 592 / House Bill No. 704 which the Legislature enacted this year.

The purpose of this bill is to allow judges trying criminal cases to pay for jurors' meals and lodging in accordance with the State Comprehensive Travel Regulations. This would almost double the amount of money permitted to be spent by Tenn. Code Ann. Section 40-18-107 and by Senate Bill No. 592 / House Bill No. 704.

In order to balance the budget for the 1983-1984 fiscal year, I have disapproved the \$82,500 appropriation contained in Section 12, Item 21 of the Appropriations Bill which would have been used to pay for the costs of this bill. Since there are no funds available to pay for the first year costs of this bill, it is unconstitutional in accordance

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with Article II, Section 24 of the Tennessee Constitution.

Sincerely,

Lamar Alexander

Dear Mr. Secretary:

I am returning House Bill No. 257 / Senate Bill No. 324 with my veto. The bill appears to conflict directly with Rule 23 of the Tennessee Rules of Civil Procedure which relates to class action lawsuits.

The purpose of this legislation is to permit an association to bring a declaratory judgment action in its own name on behalf of its members as long as its members already have the standing to sue. However, unlike Rule 23, the bill does not require that the association will fairly and adequately represent the interests of its members or that individual members will be given a clear opportunity to decline to be represented by the association. It would be better if this bill required members' approval before any action could be filed.

Sincerely,

Lamar Alexander

MAY 31, 1983

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 283 and 906; and House Joint Resolutions Nos. 133 and 254, without his signature, separate messages attached.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 283 / Senate Bill No. 753 without my signature.

The purpose of this bill is to authorize issuing \$15 million in bonds to build a bridge in the Cockrill Bend area of Davidson County. These funds are in addition to the \$10 million in bonds that were authorized last year but never used.

The Department of Transportation plans to spend \$51,936,407 or 16.8 percent of all available state and federal funds for major construction programs in Davidson County next year. In a year when

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State revenues are short, it would be better to delay authorizing these bonds until a source of funding is identified.

Sincerely,

Lamar Alexander

House Bill No. 283 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

Dear Mr. Secretary:

I am returning House Bill No. 906 / Senate Bill No. 569 without my signature. This bill undoes much of the good accomplished by the Legislature last year when it enacted Chapter 874, Public Acts of 1982.

The purpose of this bill is to require all executive departments promulgating rules to prepare and file voluminous records and reports relating to any rule they desire to promulgate or amend. In most instances this red tape and bureaucracy is unneeded. In the rare instances where the Legislature needs additional information about a particular rule, Tenn. Code Ann. Section 4-5-225(e) already requires the departments to provide appropriate information.

Sincerely,

Lamar Alexander

House Bill No. 906 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

Dear Mr. Secretary:

I am returning House Joint Resolution No. 133 without my signature. As a general rule, I have made it a practice to permit resolutions expressing a legislative position concerning federal issues to speak for themselves.

Sincerely,

Lamar Alexander

House Joint Resolution No. 133 becomes effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

Dear Mr. Secretary:

I am returning House Joint Resolution No. 254 without my signature. As a general rule, I have made it a practice to permit resolutions

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expressing a legislative position concerning federal issues to speak for themselves.

Sincerely,

Lamar Alexander

House Joint Resolution No. 254 becomes effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.